

3428. Misbranding of Sal-Trag Compound. U. S. v. 12 Cases * * * .
(F. D. C. No. 25267. Sample No. 31621-K.)

LIBEL FILED: August 11, 1948, Southern District of California.

ALLEGED SHIPMENT: On or about June 15, 1948, by Research Laboratories, Inc., from Portland, Oreg.

PRODUCT: 12 cases, each containing 12 1-pint bottles, of *Sal-Trag Compound* at Los Angeles, Calif.

LABEL, IN PART: "Sal-Trag Compound Active Ingredients. An Aqueous Extraction Of The Following Botanicals: Plume Thistle * * * Burdock * * * Sage * * * Kola * * * Dandelion * * * Horehound * * * Calamus * * * Althea * * * Quassia * * * Cinnamon * * * Ginseng * * * Sodium Benzoate. Cascara Sagrada and Licorice Added."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since the only directions appearing in the labeling, namely, "Two teaspoonfuls before each meal and four teaspoonfuls before retiring at night or as directed," were inadequate in that such directions failed to reveal the diseases or conditions of the body for which the article, when used as directed, would be effective.

DISPOSITION: February 7, 1951. Research Laboratories, Inc., having appeared as claimant, and the case having been removed to the Northern District of Illinois and the claimant having subsequently consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

DRUGS FOR VETERINARY USE

3429. Misbranding of mineral solution. U. S. v. 11 Barrels, etc. (F. D. C. No. 30383. Sample No. 93206-K.)

LIBEL FILED: January 25, 1951, Southern District of Florida.

ALLEGED SHIPMENT: On or about September 25, 1950, by Thomas Eason, from Bay Springs, Miss.

PRODUCT: 11 unlabeled 50-gallon barrels of *mineral solution* at St. Petersburg, Fla., in possession of Southern Minerals, Inc., together with a number of pieces of printed matter intended for use as labels on retail bottles of the product and a number of circulars entitled "It's A Problem."

RESULTS OF INVESTIGATION: The circulars were prepared under the direction of Jesse Green, president of Southern Minerals, Inc., and were approved by both him and his son, Carl Green. The wording of the printed matter intended for use as labels on the product was directed by both Jesse Green and Carl Green. Such printed matter contained, among other things, the following statements: "Original Liquid Mineral Food * * * A mineral solution containing sulphates, phosphates and Chlorides of Iron, Calcium, Magnesium, Aluminum, Nickel, Manganese, Copper, Sodium, Potassium and Cobalt."

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 502 (e) (2), the article was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each active ingredient; and, Section 502 (f) (1), the labeling failed to bear adequate directions for use. The article was misbranded in the above respects when introduced into, and while in, interstate commerce.

Further misbranding, Section 502 (a), certain statements in the printed matter intended for use as labels were false and misleading. These statements represented and suggested that the article was bacteriostatic; that it was effective as a vermifuge; and that it was effective in bringing about and maintaining a state of health and vitality in poultry. The article was not bacteriostatic, and it was not effective for the purposes represented. Further misbranding, Section 502 (a), certain statements in the accompanying circulars which represented and suggested that the article was effective in keeping animals healthy and free from sickness and as a treatment for really sick animals; that it was effective to increase the appetite; that it would hasten the growth of cattle, maintain body health, and regulate digestion; that it was effective to build stronger, heavier bones; that it was effective to give better distribution of fat and to give finish to ranch, dairy, and farm animals; that vitamins are compounded within the bodies of plants and animals from the minerals contained in the foods consumed by them; and that due to depletion of the mineral content of our lands, the grasses and grains no longer contain minerals in quantities sufficient to nourish animals and produce top quality, were false and misleading. The article was misbranded under Section 502 (a) while held for sale after shipment in interstate commerce.

DISPOSITION: March 8, 1951. Southern Minerals, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

3430. Misbranding of phenothiazine drench. U. S. v. 1 Drum * * *. (F. D. C. No. 30790. Sample No. 522-L.)

LIBEL FILED: On or about March 27, 1951, District of Kansas.

ALLEGED SHIPMENT: On or about January 9, 1951, by the Thompson-Hayward Chemical Co., from Kansas City, Mo.

PRODUCT: 1 drum containing 150 pounds of *phenothiazine drench* at Girard, Kans.

LABEL, IN PART: "Phenothiazine Drench * * * From Atomic Basic Chemicals Corporation * * * Pittsburgh, Pa."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since its labeling bore no directions for use; and, Section 502 (f) (2), the labeling of the article failed to bear such adequate warnings against use in those pathological conditions where its use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

DISPOSITION: May 3, 1951. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3431. Adulteration of burdock root, cocillana bark, jalap root, and white squill. U. S. v. 11 Bags, etc. (F. D. C. No. 28685. Sample Nos. 10085-K, 10087-K to 10089-K, incl.)

LIBEL FILED: January 11, 1950, Eastern District of New York.